

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

in re: Tyco Securities Litigation

Case No. 02-md-1335-PB  
02-cv-1357-PB  
ERISA Action

ORDER

Re: Document No. 1641, Motion for Discovery

Ruling:

Motion denied without prejudice. I will give the parties 30 days to resolve their differences. If a resolution is not reached within 30 days, I will appoint a special master to conduct proceedings and prepare a report and recommendation proposing a resolution of the dispute. The costs for the special master shall be paid by the parties and I reserve the right to assign all of the costs to one party if I determines that the party's position is not substantially justified.

/s/ Paul Barbadoro  
Paul Barbadoro  
U.S. District Judge

Date: April 6, 2010

cc: Counsel of Record